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Attorneys for Plaintiff

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

v.

WILLIAM T. CAVAN

Defendant.

CR No.: 05-00752 MAG

STIPULATION AND [PROPOSED]
ORDER EXCLUDING TIME


On November 28, 2005, the parties in this case appeared before the Court for an initial appearance. At that time, the parties stipulated that time should be excluded from the Speedy Trial Act calculations from November 28, 2005 to December 13, 2005. Specifically, Mr. Cohen, counsel for Mr. Cavan, requested the continuance in light of his desire to obtain and review discovery from the government. The parties represented that granting the continuance was the reasonable time necessary for effective preparation of defense counsel, taking into account the

exercise of due diligence. See 18 U.S.C. § 3161(h)(8)(B)(iv). The parties also agreed that the ends of justice served by granting such a continuance outweighed the best interests of the public and the defendant in a speedy trial. See 18 U.S.C. § 3161(h)(8)(A).

SO STIPULATED:

DATED: 12/7/05

KEVIN V. RYAN
United States Attorney


DEREK R. OWENS
Special Assistant United States Attorney

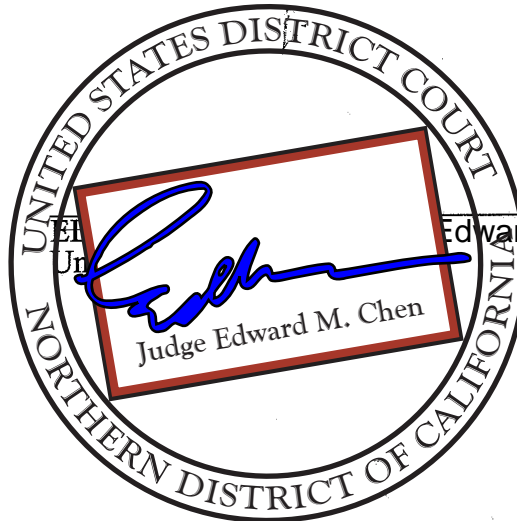
DATED: 12/8/05


JOSH COHEN
Attorney for Mr. Cavan

As the Court found on November 28, 2005, and for the reasons stated above, the Court finds that an exclusion of time between November 28, 2005 and December 13, 2005 is warranted and that the ends of justice served by the continuance outweigh the best interests of the public and the defendant in a speedy trial. See 18 U.S.C. § 3161 (h)(8)(A). The failure to grant the requested continuance would deny defense counsel the reasonable time necessary for effective preparation, taking into account the exercise of due diligence, and would result in a miscarriage of justice. See 18 U.S.C. § 3161(h)(8)(B)(iv).

SO ORDERED.

DATED: December 9, 2005



Edward M. Chen